

JUDGE HOLWELL

07 CIV 9251

CLOSED, KATRINA, TRANSFER

**U. S. District Court  
Eastern District of Louisiana (New Orleans)  
CIVIL DOCKET FOR CASE #: 2:06-cv-10767-JCZ-ALC  
Internal Use Only**

Weeks Marine, Inc. v. American Steamship Owners Mutual  
Protection and Indemnity Association, Inc. et al  
Assigned to: Judge Jay C. Zainey  
Referred to: Magistrate Judge Alma L. Chasez  
Demand: \$22,000  
Cause: 28:2201 Declaratory Judgement (Insurance)

Date Filed: 12/05/2006  
Date Terminated: 10/10/2007  
Jury Demand: Plaintiff  
Nature of Suit: 110 Insurance  
Jurisdiction: Federal Question

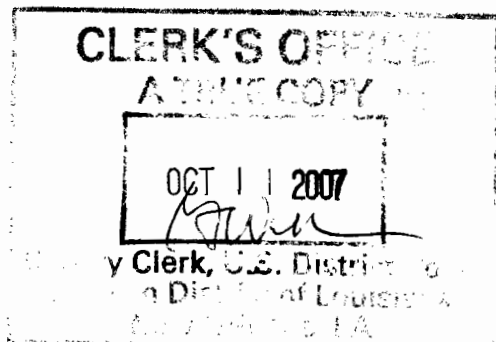
**Plaintiff**

**Weeks Marine, Inc.**

represented by **Frank Anthony Piccolo**  
Preis & Roy (New Orleans)  
Pan American Life Center  
601 Poydras Street  
Suite 1700  
New Orleans, LA 70130  
504-581-6062  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

FILED  
U.S. DISTRICT COURT  
2007 OCT 16 AM 11:56  
S.D. OF N.Y.

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V.

**Defendant**

**- American Steamship Owners  
Mutual Protection and Indemnity  
Association, Inc.**

represented by **Patrick J. McShane**

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*ATTORNEY TO BE NOTICED*

**Defendant**

**Shipowners Claims Bureau, Inc.**  
*as the manager of American Steamship*

represented by **Patrick J. McShane**

(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lara N. DiCristina**

(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
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12/05/2006	<a href="#"><u>1</u></a>	COMPLAINT against American Steamship Owners Mutual Protection and Indemnity Association, Inc., Shipowners Claims Bureau, Inc. (Filing fee \$ 350.) filed by Weeks Marine, Inc.. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet)(gbw, ) (Entered: 12/06/2006)
12/05/2006	<a href="#"><u>2</u></a>	Summons Issued as to American Steamship Owners Mutual Protection and Indemnity Association, Inc., Shipowners Claims Bureau, Inc.. (gbw, ) (Entered: 12/06/2006)
01/30/2007	<a href="#"><u>3</u></a>	FIRST AMENDED COMPLAINT with Jury Demand against - American Steamship Owners Mutual Protection and Indemnity Association, Inc., Shipowners Claims Bureau, Inc. filed by Weeks Marine, Inc..(cak, ) (Entered: 02/01/2007)
04/12/2007	<a href="#"><u>4</u></a>	ORDER plaintiff to show cause on or before 5/15/2007 why certain defendants should not be dismissed. Signed by Judge Jay C. Zainey on 4/12/07. (jrc, ) (Entered: 04/13/2007)
04/17/2007	<a href="#"><u>5</u></a>	SUMMONS Returned Executed; - American Steamship Owners Mutual Protection and Indemnity Association, Inc. served on 3/8/2007, answer due 3/28/2007. (Attachments: # <a href="#"><u>1</u></a> Affidavit)(Lee, Joseph) (Entered: 04/17/2007)
04/17/2007	<a href="#"><u>6</u></a>	DEFICIENT SUMMONS Returned Executed; Shipowners Claims Bureau, Inc. served on 3/8/2007, answer due 3/28/2007. (Attachments: # <a href="#"><u>1</u></a> Affidavit)(Lee, Joseph) Modified on 4/18/2007 (gbw, ). (Entered: 04/17/2007)
04/17/2007	<a href="#"><u>7</u></a>	NOTICE OF DEFICIENT DOCUMENT: re <a href="#"><u>6</u></a> Summons Returned Executed. Reason(s) of deficiency: Incorrect incomplete document. Party served on summons does not match party name on affidavit. For corrective information, see section(s) D01 on <a href="http://www.laed.uscourts.gov/cmecf/Deficiency/deficiency.htm">http://www.laed.uscourts.gov/cmecf/Deficiency/deficiency.htm</a> <b>Attention: Document must be refiled in its entirety within five (5) working days. Otherwise, it may be stricken by the court without further notice. Deficiency remedy due by 4/24/2007.</b> (gbw, ) (Entered: 04/18/2007)
04/17/2007	<a href="#"><u>8</u></a>	(Court only) NOTICE for CRD - DEFICIENT DOCUMENT OVER DUE: re <a href="#"><u>6</u></a> Summons Returned Executed. (gbw, ) (Entered: 04/25/2007)
04/26/2007	<a href="#"><u>9</u></a>	Request of Summons Issued as to Shipowners Claims Bureau, Inc. filed by Weeks Marine, Inc. re <a href="#"><u>3</u></a> Amended Complaint. (gbw, ) (Entered: 04/26/2007)
04/26/2007	<a href="#"><u>10</u></a>	Summons Issued as to Shipowners Claims Bureau, Inc.. (gbw, ) (Entered: 04/26/2007)
04/26/2007	<a href="#"><u>11</u></a>	Request of Summons Issued as to Shipowners Claims Bureau, Inc. filed by Weeks Marine, Inc. re <a href="#"><u>3</u></a> Amended Complaint. (dno, ) (Entered: 04/26/2007)

04/27/2007	<a href="#"><u>10</u></a>	Request of Summons Issued as to Shipowners Claims Bureau, Inc. filed by Weeks Marine, Inc. re <a href="#"><u>3</u></a> First Amended Complaint. (gbw, ) (Entered: 04/27/2007)
04/27/2007	<a href="#"><u>11</u></a>	Summons Issued as to Shipowners Claims Bureau, Inc.. (gbw, ) (Entered: 04/27/2007)
05/01/2007	<a href="#"><u>12</u></a>	SUMMONS Returned Executed; Shipowners Claims Bureau, Inc. served on 4/30/2007, answer due 5/21/2007. (Attachments: # <a href="#"><u>1</u></a> Affidavit)(Lee, Joseph) Modified on 5/2/2007 (gbw, ). Modified on 5/2/2007 (gbw, ). (Entered: 05/01/2007)
05/01/2007	<a href="#"><u>1</u></a>	NOTICE OF DEFICIENT DOCUMENT: re <a href="#"><u>12</u></a> Summons Returned Executed. Reason(s) of deficiency: Incomplete document. Service information on second page not filled out. For corrective information, see section(s) D01 on <a href="http://www.laed.uscourts.gov/cmecf/Deficiency/deficiency.htm">http://www.laed.uscourts.gov/cmecf/Deficiency/deficiency.htm</a> <b>Attention: Document must be refiled in its entirety within five (5) working days. Otherwise, it may be stricken by the court without further notice. Deficiency remedy due by 5/8/2007.</b> (gbw, ) (Entered: 05/02/2007)
05/01/2007	<a href="#"><u>1</u></a>	(Court only) DEFICIENT FILING DEADLINE TERMINATED : re <a href="#"><u>12</u></a> Summons Returned Executed. (gbw, ) (Entered: 05/02/2007)
05/01/2007	<a href="#"><u>13</u></a>	Correction of Docket Entry by Clerk re <a href="#"><u>12</u></a> Summons Returned Executed. Document not deficient. Affidavit of service was attached to document. (gbw, ) (Entered: 05/02/2007)
05/01/2007	<a href="#"><u>1</u></a>	(Court only) ***Deadlines terminated. (jrc, ) (Entered: 05/08/2007)
05/08/2007	<a href="#"><u>14</u></a>	Memorandum by Weeks Marine, Inc. re <a href="#"><u>4</u></a> Order, Set/Reset Hearings Submitted in Response to Call Docket Order. (Lee, Joseph) (Entered: 05/08/2007)
05/17/2007	<a href="#"><u>15</u></a>	ORDER passing call docket 30 days. Signed by Judge Jay C. Zainey. (jrc, ) (Entered: 05/17/2007)
06/12/2007	<a href="#"><u>16</u></a>	EXPARTE/CONSENT MOTION for Extension of Time to Answer <i>Without Waiver of Defenses</i> by - American Steamship Owners Mutual Protection and Indemnity Association, Inc., Shipowners Claims Bureau, Inc.. (Attachments: # <a href="#"><u>1</u></a> Proposed Order)(DiCristina, Lara) Modified on 6/13/2007 (gbw, ). (Entered: 06/12/2007)
06/12/2007	<a href="#"><u>19</u></a>	Correction of Docket Entry by Clerk re <a href="#"><u>16</u></a> MOTION for Extension of Time to Answer <i>Without Waiver of Defenses</i> . Document contains incorrect Magistrate Judge. All future pleadings must reflect Section A and Magistrate Judge 5. (gbw, ) (Entered: 06/20/2007)
06/15/2007	<a href="#"><u>17</u></a>	ORDER granting <a href="#"><u>16</u></a> Motion for Extension of Time to Answer. Signed by Judge Jay C. Zainey on 6/13/07. (jrc, ) (Entered: 06/15/2007)



06/15/2007	<u>18</u>	NOTICE Scheduling Conference set for 7/10/2007 2:30 PM before courtroom deputy by telephone, by Clerk. (jrc, ) (Entered: 06/15/2007)
06/27/2007	<u>20</u>	MOTION to Dismiss <i>For Improper Venue or Alternatively</i> , MOTION to Transfer Case by - American Steamship Owners Mutual Protection and Indemnity Association, Inc., Shipowners Claims Bureau, Inc.. Motion Hearing set for 7/25/2007 09:00 AM before Judge Jay C. Zainey. (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Notice of Hearing # <u>3</u> Exhibit Declaration of Michael Mitchell# <u>4</u> Exhibit A, Item 1# <u>5</u> Exhibit A, Item 2# <u>6</u> Exhibit A, Items 3-8)(McShane, Patrick) Modified on 6/28/2007 (cms, ). (Entered: 06/27/2007)
06/27/2007	<u>21</u>	Request/Statement of Oral Argument by - American Steamship Owners Mutual Protection and Indemnity Association, Inc., Shipowners Claims Bureau, Inc. regarding <u>20</u> MOTION to Dismiss <i>For Improper Venue or Alternatively</i> MOTION to Transfer Case. (McShane, Patrick) (Entered: 06/27/2007)
06/28/2007	<u>22</u>	Correction of Docket Entry by Clerk re <u>20</u> MOTION to Dismiss <i>For Improper Venue or Alternatively</i> MOTION to Transfer Case, <u>21</u> Request/Statement of Oral Argumen. Document contains incorrect Magistrate Judge. All future pleadings must reflect Section A and Magistrate Judge 5. Also, attachment as duplicate description. For attachment, select either a category or enter a description, but not both since this results in duplicate docket text. Clerk took corrective action. (cms, ) (Entered: 06/28/2007)
07/05/2007	<u>23</u>	EXPARTE/CONSENT MOTION to Continue <i>Hearing on Motion to Dismiss</i> by Weeks Marine, Inc.. (Attachments: # <u>1</u> Exhibit # <u>2</u> Proposed Order)(Lee, Joseph) Modified on 7/5/2007 (gbw, ). (Entered: 07/05/2007)
07/10/2007	<u>24</u>	NOTICE continuing scheduling conference without date. by Clerk. (jrc, ) Modified on 7/11/2007 (jrc, ). (Entered: 07/10/2007)
07/18/2007	<u>25</u>	ORDER granting <u>23</u> MOTION to Continue Hearing on <u>20</u> MOTION to Dismiss <i>For Improper Venue or Alternatively</i> MOTION to Transfer Case filed by Weeks Marine, Inc.. Motion Hearing reset for 9/19/2007 before Judge Jay C. Zainey. Opposition is due 8/3/2007. Signed by Judge Jay C. Zainey on 7/18/2007.(cms, ) (Entered: 07/18/2007)
08/02/2007	<u>26</u>	EXPARTE/CONSENT MOTION to Appear Pro Hac Vice (Filing fee paid \$5.) by Weeks Marine, Inc.. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Exhibit)(Lee, Joseph) Modified on 8/3/2007 (gbw, ). Modified on 8/3/2007 (gbw, ). Modified on 8/7/2007 (cms, ). (Entered: 08/02/2007)
08/02/2007	<u>27</u>	EXPARTE/CONSENT MOTION to Appear Pro Hac Vice (Filing fee paid \$5.) by Weeks Marine, Inc.. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Exhibit)(Lee, Joseph) Modified on 8/3/2007 (gbw, ). Modified on 8/3/2007 (gbw, ). Modified on 8/7/2007 (cms, ). (Entered: 08/02/2007)

08/02/2007	<u>28</u>	Correction of Docket Entry by Clerk re <u>26</u> MOTION to Appear Pro Hac Vice (Filing fee \$5.). Filing attorney should have changed 'N' to 'Y' at the question 'Is this an Exparte/Consent Motion Y/N?' before clicking the Next button. Clerk modified docket text to reflect 'Exparte'. (gbw, ) (Entered: 08/03/2007)
08/03/2007	<u>29</u>	MOTION to Transfer Case by Weeks Marine, Inc.. Motion Hearing set for 8/22/2007 09:00 AM before Judge Jay C. Zainey. (Attachments: # <u>1</u> Memorandum in Support # <u>2</u> Exhibit "A"# <u>3</u> Exhibit "B"# <u>4</u> Exhibit "C"# <u>5</u> Exhibit "D"# <u>6</u> Exhibit "E"# <u>7</u> Exhibit "F"# <u>8</u> Notice of Hearing)(Lee, Joseph) (Entered: 08/03/2007)
08/03/2007	<u>30</u>	RESPONSE/MEMORANDUM in Opposition filed by all plaintiffs re <u>20</u> MOTION to Dismiss <i>For Improper Venue or Alternatively</i> MOTION to Transfer Case. (Attachments: # <u>1</u> Exhibit "1"# <u>2</u> Exhibit "2"# <u>3</u> Exhibit "3"# <u>4</u> Exhibit "4.1"# <u>5</u> Exhibit "4.2"# <u>6</u> Exhibit "5")(Lee, Joseph) (Entered: 08/03/2007)
08/05/2007	<u>31</u>	ORDER granting <u>26</u> Motion to Appear Pro Hac Vice as to John A.V. Nicoletti. Signed by Judge Jay C. Zainey on 8/3/2007. (cms, ) (Entered: 08/07/2007)
08/05/2007	<u>32</u>	ORDER granting <u>27</u> Motion to Appear Pro Hac Vice as to Robert A. Novak. Signed by Judge Jay C. Zainey on 8/3/2007. (cms, ) (Entered: 08/07/2007)
08/14/2007	<u>33</u>	RESPONSE/MEMORANDUM in Opposition filed by all defendants re <u>29</u> MOTION to Transfer Case. (DiCristina, Lara) (Entered: 08/14/2007)
08/20/2007	<u>34</u>	EXPARTE/CONSENT MOTION for Leave to File <i>Reply Memorandum in Further Support of Motion to Transfer</i> by Weeks Marine, Inc.. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Proposed Pleading)(Lee, Joseph) Modified on 8/21/2007 (gbw, ). (Entered: 08/20/2007)
08/21/2007	<u>35</u>	Correction of Docket Entry by Clerk re <u>34</u> MOTION for Leave to File <i>Reply Memorandum in Further Support of Motion to Transfer</i> . Filing attorney did not select category 'Proposed Pleading' when attaching document for which leave to file is being requested. Clerk took corrective action. (gbw, ) (Entered: 08/21/2007)
08/23/2007	<u>36</u>	ORDER granting <u>34</u> Motion for Leave to File Reply Memorandum. Signed by Judge Jay C. Zainey on 8/22/2007. (cak, ) (Entered: 08/23/2007)
08/23/2007	<u>37</u>	REPLY MEMORANDUM Of Weeks Marine, Inc. To Defendants' Memorandum In Opposition To <u>29</u> MOTION to Transfer Case. (cak, ) (Entered: 08/23/2007)
08/23/2007	<u>38</u>	ORDER Resetting Hearing on <u>29</u> MOTION to Transfer Case : Motion set for 9/19/2007 before Judge Zainey. Signed by Judge Jay C. Zainey on 8/22/07.(jrc, ) (Entered: 08/23/2007)

08/30/2007	 <u>39</u>	ORDER Setting Oral Argument on <u>20</u> MOTION to Dismiss For Improper Venue or Alternatively MOTION to Transfer Case; Hearing set for 10/10/2007 10:00 AM before Judge Jay C. Zainey. Signed by Judge Jay C. Zainey on 8/28/07. (jrc, ) (Entered: 08/30/2007)
09/12/2007	 <u>40</u>	ORDER Resetting Hearing on <u>29</u> MOTION to Transfer Case; Oral Argument set for 10/10/2007 10:00 AM before Judge Jay C. Zainey. Signed by Judge Jay C. Zainey on 9/11/07. (jrc, ) (Entered: 09/12/2007)
09/14/2007	 <u>41</u>	EXPARTE/CONSENT MOTION for Leave to File Reply Memo by American Steamship Owners Mutual Protection and Indemnity Association, Inc., Shipowners Claims Bureau, Inc.. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Proposed Pleading)(DiCristina, Lara) Modified on 9/17/2007 (gbw, ). (Entered: 09/14/2007)
09/18/2007	 <u>42</u>	ORDER granting <u>41</u> Motion for Leave to File reply memo in support of motion to dismiss for improper venue or alternatively to transfer. Signed by Judge Jay C. Zainey on 9/17/07. (gbw, ) (Entered: 09/18/2007)
09/18/2007	 <u>43</u>	REPLY MEMORANDUM in Opposition filed by American Steamship Owners Mutual Protection and Indemnity Association, Inc., Shipowners Claims Bureau, Inc. re <u>29</u> MOTION to Dismiss for Improper Venue or alternatively, MOTION to Transfer Case to US District Court for the Southern District of New York. (gbw, ) (Entered: 09/18/2007)
10/10/2007	 <u>44</u>	Minute Entry for proceedings held before Judge Jay C. Zainey : Motion Hearing held on 10/10/2007 re <u>20</u> MOTION to Dismiss <i>For Improper Venue or Alternatively</i> MOTION to Transfer Case filed by Shipowners Claims Bureau, Inc., American Steamship Owners Mutual Protection and Indemnity Association, Inc. and <u>29</u> MOTION to Transfer Case filed by Weeks Marine, Inc.. ORDERED that this action is transferred to USDC, Southern Districr of NY. (Court Reporter David Zarek.) (gbw, ) Attachment #1 Transfer Letter added on 10/11/2007 (gbw, ). Modified on 10/11/2007 (gbw, ). (Entered: 10/11/2007)